

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

RALPH MACCLEMMY, IV : **CIVIL ACTION**

vs. : :

COUNTY OF BUCKS, and :
WARDEN J. ALLEN NESBITT, et al. : **NO. 02-CV-4024**

**ANSWER OF COUNTY OF BUCKS and
WARDEN J. ALLEN NESBITT TO CROSSCLAIM OF
DEFENDANTS TOWNSHIP OF BRISTOL,
POLICE OFFICER CHARLES BURNS,
POLICE OFFICER EMILY EICHENSEHR,
POLICE OFFICER JOHN DOE AND
POLICE CHIEF TOM MILLS
WITH CROSSCLAIM AGAINST CODEFENDANTS**

ANSWER TO CROSSCLAIM

1. The crossclaims of Codefendants are denied as conclusions of law to which no answer is required. By way of further answer, the answer and affirmative defenses of the County of Bucks and Warden J. Allen Nesbitt are incorporated by reference.

2. Codefendants' crossclaims are barred in whole or in part by the applicable statute of limitations.

WHEREFORE, it is respectfully requested that the crossclaim of Codefendants be dismissed with prejudice.

**CROSSCLAIM AGAINST DEFENDANTS
TOWNSHIP OF BRISTOL,
POLICE OFFICER CHARLES BURNS,
POLICE OFFICER EMILY EICHENSEHR,
POLICE OFFICER JOHN DOE AND
POLICE CHIEF TOM MILLS**

Defendants County of Bucks and Warden J. Allen Nesbitt aver that if the Plaintiff sustained any compensable injuries or damages as alleged in Plaintiff's Complaint, said injuries or damages were caused by Codefendants, Township of Bristol, Police Officer Charles Burns, Police Officer Emily Eichensehr, Police Officer John Doe and Police Chief Tom Mills, for the reasons set forth in Plaintiff's Complaint, which allegations are hereby incorporated by reference (without admission of the truth of such allegations)

WHEREFORE, Defendants County of Bucks and Warden J. Allen Nesbitt aver that Codefendants Township of Bristol, Police Officer Charles Burns, Police Officer Emily Eichensehr, Police Officer John Doe and Police Chief Tom Mills are liable, jointly or severally, or liable over to Defendants County of Bucks and Warden J. Allen Nesbitt on any recovery obtained by Plaintiff.

Respectfully submitted,
BUCKS COUNTY SOLICITOR'S OFFICE

MICHAEL A. KLIMPL, ESQUIRE
ASSISTANT COUNTY SOLICITOR
ATTORNEY FOR DEFENDANTS
COUNTY OF BUCKS and WARDEN
J. ALLEN NESBITT
Attorney I.D. 16116
Administration Building
55 East Court Street
Doylestown, PA 18901
215/348-6464

CERTIFICATION OF SERVICE

I, Michael A. Kimpl, Esquire, do hereby certify that a true and correct copy of Answer to Crossclaim of Codefendants' and Crossclaim of Defendants County of Bucks and Warden J. Allen Nesbitt against Codefendants were served on or about March , 2003, upon the following by placing the same in the United States mail, first class, postage prepaid addressed as set forth below:

Malissa R. Sill, Esquire
Attorney for Defendants
Township of Bristol
Police Officer Charles Burns
Police Officer Emily Eichensehr
Police Officer John Doe and
Police Chief Tom Mills
Marks, O'Neill, O'Brien & Courtney, P.C.
Suite 1200
1880 J.F. Kennedy Blvd.
Philadelphia, PA 19103

Benson I. Goldberger, Esquire
Attorney for Plaintiff
DION & GOLDBERGER
1515 Locust Street, 10th Floor
Philadelphia, PA 19102

**Michael A. Kimpl, Asst. County Solicitor
Attorney for Defendants County of Bucks
and Warden J. Allen Nesbitt**